

THE  
S P E E C H

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OF  
MAJOR SCOTT

IN THE  
HOUSE OF COMMONS,

ON FRIDAY, MAY, 21, 1790,

ON THE COMPLAINT OF

GENERAL BURGOYNE

FOR

BREACH OF PRIVILEGE.

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Dat veniam Corvis, vexat censura Columbas. Juv.

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L O N D O N,

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HOUSE OF COMMONS.

FRIDAY, MAY 21, 1790.

General *Burgoyne* having opened the grounds of a Complaint against *John Scott*, Esq; Member for West Looe, read the following Resolutions, declaring he meant to move them severally as soon as the Honourable Member had been heard in his defence.

I. “ That it is against the law and usage of  
“ Parliament, and a high breach of the Privi-  
“ lege of this House, to write or publish, or  
“ cause to be written or published, any scanda-  
“ lous or libellous reflections on the honour and  
“ justice of this House, in any of the im-  
“ peachments or prosecutions in which it is  
“ engaged.”

II. “ That it appears to this House that  
“ the said Letter now delivered in, is a scan-  
“ dalous and libellous Paper, reflecting on  
“ the honour and justice of this House, and on  
“ the conduct of the Managers appointed to  
“ conduct the Impeachment now proceeding  
“ against Warren Hastings. Esq.”

B

Major *Scott* being called upon from the  
Chair, rose and said,

Mr. SPEAKER,

**B**EFORE I enter upon my defence, I must express my acknowledgements to the Honourable General for the very fair and candid manner in which he has opened the charge that he has thought proper to prefer against me. In the first place, I do most solemnly disavow the slightest intention that I had, to do any thing that could be construed into an invasion of the privileges of the House of Commons.

The peculiar situation in which I stand at the present moment, will, I flatter myself, Mr. Speaker, plead my excuse to the House, for detaining them a short time, but I promise them it shall be as short as possible.

I must confess to you, Sir, that I did not expect at this time of day such a motion from such a quarter. I know that this House possesses great and important privileges;



leges; I know that the privileges of the House are daily broke in upon; but, as there are some rules "more honoured in the breach than in the observance," I have always supposed, that in a country the freest in the whole world, this House had consented to dispense with the rigid observance of some of its privileges, retaining, however, the full power to resume them; and where liberty shall be pleaded as an excuse for licentiousness, the House will consult their own dignity, their own honour, and their justice, in calling the offender to a severe example. I believe, Sir, it has been observed in almost every trial for a libel in the Courts below, that the surest way to preserve the freedom of the press, is to punish the abuse of it. Upon this ground, Mr. Speaker, I wish my conduct to be considered, and upon no other I am sure, will it be considered by a body of Gentlemen, who prizing the blessings of a free constitution, will be at all times ready to support, in its fullest extent, the freedom of the press. I know it to be one of the standing orders of this House, that no strangers shall be admitted into the gallery; yet, Sir, our gallery is always and very pro-

perly full of strangers. I am aware that it is a breach of privilege, for any man to publish the speeches of this House ; yet, we know, that every day's debate is regularly published, and with great accuracy in general, on the following morning, and we have very good reason to believe, that on important questions in this House some members write their own speeches, and I will appeal to the recollection of every Gentleman, whether men of the first eminence in the House, have not thought it of importance, to correct any misrepresentation that has occasionally been made of their speeches, by an explanation on the following day ; but no person ever thinks of excluding strangers from the gallery, or prohibiting the publication of the Members speeches, because it has sometimes happened, that errors have been committed, in publishing what Gentlemen have *not* said in this House.

The precedent of the year 1701, does not apply in any degree. At that time the manners and customs of all ranks of people were different, and the publick knew little of the proceedings in Parliament, beyond  
what



what appeared upon the Journals; but in these enlightened days, they know what their representatives do every day, and they have a right to know it. I perfectly concur in opinion with the Right Hon. Gentleman (Mr. Fox) that those who send us to this House have a right to be acquainted with what passes in it. For many years back the Members of this House have obligingly (many of them at least) explained to the publick their conduct in parliament, and I hold now in my hand twelve speeches and pamphlets on political subjects, published by a Right Hon. Gentleman over the way, (Mr. Burke) which I shall more particularly refer to by and by. The question then to consider is, whether in my remarks upon a speech of a Right Hon. Gentleman, or rather upon the report of that speech, I have deviated from that line of propriety, which as a Member of Parliament, or, as a Gentleman, I am bound to observe. But, though my letter is really and truly a remark upon a speech in a paper, yet I will neither be mean nor base enough to shelter myself under such a subterfuge. I have read it again and again, but cannot find an  
 •                   offensive

offensive word in it. Will the Hon. General point out any thing offensive in the language, or absurd in the argument? I shall be glad to meet him upon that ground. I will very shortly, Mr. Speaker, examine the facts that I have asserted one by one, and I defy the united abilities of the Gentlemen opposite to me to dispute the veracity of any one of them. The first, Sir, is the story of the three thousand pounds stated to have been paid by Mr. Hastings, at the India House, for copying papers. Am I to blame for the circulation of that ridiculous tale? or am I charged for a libel, because I arrested a libel in its course? Men who are prosecuting for acts which involve, as they say, the desolation of Provinces, the banishment of Princes, the robbery of Ladies, &c. one should imagine, would be above attending to such nonsense. Yet, when a Right Hon. Gentleman thought proper to make a serious enquiry into such tittle-tattle stuff, and to involve my name in it; when men of rank and consequence repeated the story again, I was justified in declaring what I again repeat, that the story has no foundation in truth, either as it re-

spects



spects Mr. Hastings or myself. If there are any persons who are to be ashamed, they are those who first brought such contemptible nonsense before the publick.

My next assertion is, that the length to which the trial has been protracted, has excited the regret of every honest man in England, and the astonishment of every enlightened statesman in Europe. I solemnly deny that this was meant as a reflection upon the House, but that the remark is founded in truth, I will maintain before the whole world. Sir, the next assertion in my letter is, that an account stated in a morning paper, that the delays in the trial are imputable to Mr. Hastings, are not true, that to say so, is to add insult to injury. Had I stopped here, the House might with justice accuse me of audacity; but I have given my reasons for adding, that I believe it was the original intention of the Right Hon. Gentleman not to bring the Trial to a close in the present Parliament. If every honest man in the kingdom will lay his hand upon his heart, and deliver his opinion, I am convinced it will exactly coincide with mine.

mine. But I have still stronger evidence to offer upon this point. Such Gentlemen as have attended in Westminster Hall, cannot but observe the slow progress of the present Trial. I own I am astonished at the patience and forbearance of both Houses. Sir, we the prosecutors have been proving for several days,—I beg pardon, I mean we have been attempting to prove, that Mr. Hastings by a system he established in 1781, brought great loss and damage to the revenues of the East-India Company, though our Managers proved *three months ago* that the change of system was attended by an actual increase of revenue, amounting to nearly 400,000*l.* in three years. If there is one Gentleman in this House doubts the truth of this, let him borrow the evidence, and look into page 1196. Sir, upon the next fact the House will determine. I think the justice of the re-

• Mr. Wright, Auditor of Indian accounts, produced an account of the nett collections in Bengal for the three years preceding the abolition of the Provincial Councils, and three years subsequent to it. This was entered upon the minutes of evidence by order of their Lordships, on the 23d of February, and in the increase in the *latter* period is 33,72,072 rupees, about 400,000*l.* sterling.

Section



flection no man will dispute, but I have put it hypothetically, and I now ask the House and the country, whether it was just or honourable to impeach a man for acts that he was said to have done in the year 1772, which were fully known in 1776 in Great-Britain, upon which not one tittle of new evidence is or can be brought, when subsequent to the year 1776, he has three several times been appointed by the Legislature, on the motion of the Minister, Governor General of Bengal? Surely such a question is a fair one, and if ever pertinently put, put at such a time as this, when we may be on the eve of a war. I have put the question hypothetically, but I am neither afraid nor ashamed to say that I think it was unworthy of a great nation. The very same observation fell from a Member of great consideration in his place\*, while the articles were depending in this House. He expressed his conviction that the House would never impeach Mr.

\* The Lord President of the Court of Session, at that time Lord Advocate of Scotland.

Hastings for acts done in 1772, universally known, and virtually sanctioned by three subsequent re-appointments. He mentioned the case of Sir Walter Raleigh, and said that the impeachment of Mr. Hastings upon this part of the article, would be more unjust than the execution of that great man, who after condemnation, was taken from the Tower to be employed on foreign service, and put to death after his return to England. The House merely voted that there was matter of impeachment in the charge as originally brought, and that charge contained a great variety of allegations. The article was drawn by the Committee, and voted by the House, without any discussion. The next point, Mr. Speaker, is what I took as I state from the newspaper, for I really was not in the House at the time the Right Hon. Gentleman gave notice of the motion he intended to make. I mean as to the new and dangerous doctrines that he had heard in Westminster Hall; I abide by the reflection I made upon that circumstance. The next point is a matter in which the dignity and justice of this House

is



is most materially concerned ; on which its character for consistency throughout the country materially depends. I do affirm, Mr. Speaker, that the House upon this point is involved in a very unfortunate dilemma, owing to the degree of confidence they have reposed in the Gentlemen opposite me. When I state the facts, the House will judge of the proper measures to be pursued. Of the twenty articles composing the Impeachment, there is one entitled Revenues, on which so much time has been employed in Westminster Hall. When that article was under the consideration of a Committee of the whole House, the Minister not only voted, but spoke against it ; and he proved from accurate calculations, that by Mr. Hastings's change of system in 1781, a *considerable* advantage *had accrued* to the East India Company. He proved also, that no sort of favour was shewn by Mr. Hastings to his servant Cantoo Baboo, who had been a very considerable farmer of revenue, before Mr. Hastings arrived in Bengal. It happened, however, that upon the division, the Minister was left in a minority, and the ques-

tion was carried by a majority of fifteen, for impeaching Mr. Hastings upon that article. This was the only debate in the House upon the subject, for when the article was presented in the form in which it now is, it passed like all the others, without observation or comment, and I am sure without being looked at; because either it contains an assertion palpably and notoriously false, or certain resolutions moved for four years successively are notoriously false, for this most intelligible of all reasons, that they are manifestly contradictory, the one to the other, as I shall prove in a few words, and unless it be true that two and two make five as well as four, both are not true. This article of impeachment states, that Mr. Hastings's administration of the Revenues was attended with great loss and damage to the Revenues of the East-India Company, and with the vexation, oppression and destruction of the natives of Bengal. It was voted by the House of Commons in the month of May, 1787. Now it happened that a very few days before this vote, the House voted another Resolution directly the reverse of it.



it. That Resolution was moved by a Right Hon. Gentleman (Mr. Dundas) and is in substance as follows: That the annual Receipts of the Bengal Government on an average of three years from 1781-2 to 1783-4 were five hundred and two lacks of rupees. The Right Hon. Gentleman did not merely content himself with moving this resolution, but he reasoned upon it at great length, and he affirmed, as is undoubtedly the truth, that Bengal was the best governed country in India. This is the average of the three years of Mr. Hastings's administration, that immediately followed the change of a system, a change so much condemned by the Managers. I will do the Right Hon. Gentleman (Mr. Dundas) the justice to say he also voted against the Revenue Article; but as the House has had an India Budget in 1788, 1789, and 1790, and as it has voted Resolutions each year which prove, that so far from Mr. Hastings having overstrained the country in order to get a large temporary Revenue, the last year's Revenues are higher than the preceding, I do own I am not a little astonished, that the House still per-

permits the Revenue Article to stain its Journals, or allows its Managers to go on day after day, attempting to prove what if it could be proved, must disgrace the House of Commons; namely, that for four years successively it has entered false Resolutions upon the Journals. I contend, that the Resolutions are true, and that the Article is false. Those who differ in opinion with me, those who support the Article, *must* condemn the Resolution. Was it Sir, indecent, or improper in me, to attempt to avert the mischiefs which the public might sustain, by a gross perversion of the sense of Lord Cornwallis's letter? Is there a man in England so stupid, as to believe that a country is depopulated and ruined, which furnished supplies for maintaining seventy thousand men in arms during the late war, which since the reductions, in consequence of the peace, has furnished a surplus of more than two millions sterling a year, and from which Lord Cornwallis *himself* tells us, we may depend upon the *continuance* of such a surplus in future? I think, Sir, by explaining this matter, I might claim some merit with this House,  
and



and with the publick. It is the duty of every Member of Parliament to support the Government of the country as far as he can ; and I am not afraid to avow, that I have often written upon the Revenues and Resources of this country, and I shall ever be ready to avow it. As to my statement of the Revenues, so different from that of the Gentlemen opposite me, I will pledge my salvation upon the truth of my account, unless they will prove, that Lord Cornwallis has transmitted false accounts from Bengal. Look to the Reports upon your Table, and you will see, that when Mr. Hastings came to the Government of Bengal, the whole Resources of that Government were 313 lacks of rupees. Look to your Journals, and you will see, that when he quitted the Government, they were 520 lacks, and that now they are 530 lacks\*. In opposition to this *broad fact,*

\* The account of the total receipts of the Bengal Government, the year preceding Mr. Hastings's accession to that Government, is taken from the fifth Report of the Secret Committee (Mr. Dundas's). The account of the total receipts of the Bengal Government during the  
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*fact*, is it not enough to make a man lose his patience, when he hears it asserted in the name of the House of Commons, that Bengal has declined during his Administration? Sir, there is one other point that I must mention. The Honourable General says, if I saw any thing wrong, it was my duty to state it to this House. Have I, Mr. Speaker, neglected my duty in this particular? On the contrary, I am afraid I have troubled you too often, but it is a point of so much consequence, that I do hope four last years of Mr. Hastings's Administration, is entered upon the Journals of the House of Commons. The annual receipts upon an average of three years, from 1781-2 to 1783-4, are five hundred and two lacks. From 1782-3 to 1784-5, five hundred and twenty-one lacks. Mr. Hastings resigned on the 1st of February 1785. This average therefore includes the three last years of his Administration. If what is contained in the Journals, and Mr. Dundas's Reports are true, the accounts stands thus:

Total resources when he left Bengal	- -	521 Lacks
Total resources when he arrived there	-	313

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Total annual increase during his administration 208 Lacks

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Or more than two millions sterling. The last annual receipts, from 1786-7, to 1778-9, as entered in the Journals of the 3d of May, 1790, make the Receipts five hundred and thirty lacks. These facts are *unanswerable*.

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the time will come when Gentlemen of more importance will take it up; for it is a point in which the honour, as well as the justice of the House, is deeply interested.

I am afraid, Mr. Speaker, that I have tired and disgusted the House by so often repeating the same remarks; and so far have I been from neglecting my duty, of which the Honourable General accuses me, that I have been constantly upon the watch, and have seized every practicable opportunity to bring so important a matter before Parliament and the publick.

I have told Gentlemen, that though I cordially concurred in the statements made by the India Minister, they were directly contrary to the Articles of Impeachment, and if the Resolutions were true, what was said in our name in Westminster Hall, must be false. I am placed in that situation, *that I must stand or fall in the opinion of this House, and of my country, by the truth of what I have asserted.*

I have repeatedly said, within this House

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and

and out of it, that we passed Thirteen Articles without reading them. Did I act meanly or basely by the House? Did I lie in wait to entrap them? If I had acted so vile a part, I should well indeed deserve the indignation of this House; but I defy the Honourable General to say that I have ever put the case more forcibly out of the House than I have done in it. I warned the House of what they were doing at the time they did it. I told them, I was sure that if they read those articles, they would never pass them \*. I cannot appeal to you, Sir, for the truth of this, because you were not in the Chair at the time, but I am sure the Gentlemen who sit at the Table remember it: I intreated, I implored the House to read the Articles before they voted them. *These Articles* are directly contrary to resolutions upon your Journals; they criminate the Directors and the King's Ministers. These Articles denominate Hyder Beg Khan, the Minister of the Nabob of Oude, *an implacable tyrant*; and they condemn Mr. Hastings for putting so much

\* See the Parliamentary Debates 28th May, 1787, the day these thirteen articles were carried to the Lords.



power in his hands. Yet Lord Cornwallis tells you, for you have his letter upon your Table\*, that in his final arrange-

\* The following are exact copies of the papers here alluded to.

20th April, 1787.

“ Lord Cornwallis,

“ The only material difference which has taken place  
“ in the engagements between this Government and the  
“ Nabob Vizier, relates to the brigade stationed at Fut-  
“ tyghur, the continuance of which body of troops, in the  
“ dominions of the Vizier, I deem equally essential to  
“ the interest of the Vizier and the Company. In other  
“ respects I have nearly adhered *to the principles established*  
“ *by the former Governor General, Mr. Hastings, and since*  
“ *confirmed by the orders of the Honourable Court of Directors;*  
“ all the subsidiary arrangements have been formed *with*  
“ *a view to strengthen those principles, and render them per-*  
“ *manent.*

(Signed) CORNWALLIS.”

8th April, 1789.

Answer from the Court of Directors to Bengal.

“ Having *attentively* perused all the minutes, proceed-  
“ ings, and letters referred to in these paragraphs, and in  
“ your subsequent advices on the subject of the late agree-  
“ ment concluded by Lord Cornwallis with the Vi-  
“ zier, *we approve of the general arrangement, and of the*  
“ *principles on which it was formed.*”

The approbation of this paragraph signed

HENRY DUNDAS.

W. W. GRENVILLE.

MULGRAVE.

ments he has nearly *adhered* to the principles laid down by the *former Governor General, Mr. Hastings.*

All the subsidiary arrangements are formed, as his Lordship says, *with a view to strengthen those principles and render them permanent.* To this the King's Ministers reply through the Directors, that having *attentively* considered the whole subject, and perused the whole proceeding, they approved of the general arrangement, *and of the principles on which it was formed.* What principles? why, Sir, the very *principles which this House, without knowing one word about the matter,* has condemned; the *principles,* which when carried into practice, *procure* an annual subsidy of fifty lacks from the Nabob, which pays the expence of one-third of our army. I hope the House will excuse me, if upon this subject I should a little forget the moderation that becomes me; but the contradictions are so palpable, that I own, I am lost in astonishment, when I reflect upon them. Let not the House be displeased with



with me for laying facts fairly before them. Those are to blame who have abused the generous confidence which this House placed in them. Sir, I hope I shall not be accused of disrespect to the House of Commons. I call God to witness I mean it not. The House confided in their Committee; after agreeing to the impeachment, it voted the articles without discussing the particulars, and it has happened, that many acts are stated as criminal, which the House has sanctioned as highly meritorious in another character.

And now, Mr. Speaker, having entered into a full, and I hope a satisfactory explanation of my conduct, let me suppose, for a moment, that I have acted irregularly, or improperly in what I have done. To what I have said I have put my name. Some proof surely that I meant to do no wrong. But, admitting for a moment, that I have been misled: By whom is it that I have been misled? By the Gentlemen opposite to me, and I do confess myself at a loss to discover with what degree of consistency,

sistency, such a motion, as is now proposed, can come from such a quarter. The Honourable Gentleman is pleased to compliment me upon my knowledge of my duty as a Member of Parliament. I do assure you, Mr. Speaker, it has been my study to acquire that knowledge, and if I have erred, it is by following what I thought justifiable precedents. I never could conceive, Sir, that a moderate, temperate examination of what is stated in a public paper, could have been construed into a breach of privilege, but much less, Sir, could I conceive it possible, after perusing the curious precedents that I shall now produce, I will not quote the common Parliamentary Debates or the newspapers as authority, but I will ask every Gentleman in this House, whether it has not been the invariable practice of Gentlemen opposite to me, to arraign with the utmost freedom such acts of the majority, as they disapproved; I mean in public meetings, in the shape of resolutions, &c.? But, Sir, I will now state to you certain curious facts; and first, I shall bring to  
your



your notice a pamphlet entitled, " Mr. Burke's Speech on the Motion made for Papers 28th of February, 1785\*." In the title page there is a long Greek quotation, which I am not able to translate for you. Every thing contained in that speech, the Gentleman had a right to say; but with what consistency he can support a motion against me, after publishing, many months subsequent to the speech, this pamphlet, I am at a loss to discover. Surely, Sir, it was no longer a speech, but, according to the law of this day, a libel upon Parliament. The first passage that I shall select, is as follows, and the House will see it is very much in the style of the Gentleman's orations in Westminster Hall.

" Let no man hereafter talk of the decaying energies of nature; all the acts and monuments in the records of peculation, the consolidated corruption of ages, the patterns of exemplary plunder in the heroic times of Roman iniquity, never equalled the gigantick corruption of this single act. Never did Nero, in

\* Printed by Doddsley.

" all

“ all the insolent prodigality of despotism,  
 “ deal out to his Prætorian guards a  
 “ donation fit to be named with the  
 “ largesse showered down by the bounty  
 “ of our Chancellor of the Exchequer on  
 “ the faithful band of his Indian seapoys.”

The next is as follows—“ Your Ministers  
 “ knew, when they signed the death war-  
 “ rant of the Carnatick, that the Nabob  
 “ would not only turn all the unfortunate  
 “ farmers of revenue out of employment,  
 “ but that he has denounced his severest  
 “ vengeance against them for acting under  
 “ British authority. With a knowledge of  
 “ this disposition, a British Chancellor of  
 “ the Exchequer, and Treasurer of the  
 “ Navy, incited by no public advantage,  
 “ impelled by no public necessity, in a  
 “ strain of the most wanton perfidy, which  
 “ has ever stained the annals of mankind,  
 “ have delivered over to plunder, im-  
 “ prisonment, exile and death, itself, ac-  
 “ cording to the mercy of such execrable  
 “ tyrants as, &c. &c. the unhappy and  
 “ deluded souls, who, untaught by uni-  
 “ form example, were still weak enough



“ to put their trust in English faith\*.”

Does the House know who the Chancellor

\* Any gentleman who will read the speeches of Mr. Burke and his associates with the same attention that Major Scott has done, will find many passages similar to this very curious one, applied to Lord North during the American war, and to Mr. Hastings in Westminster Hall ; we shall select two or three of the latter.

Mr. Burke, 1st year. “ The crimes we charge are not  
“ the causes and effects of common human frailty ; such  
“ as we know and feel we can allow for, but they  
“ are crimes which have their rise in avarice, rapacity,  
“ pride, cruelty, ferocity, malignity of temper, haughti-  
“ ness, insolence ; in short, in every thing that manifests  
“ a heart blackened to the very blackest, a heart dyed  
“ deep in blackness, a heart gangrened to the very core.

“ These gentlemen had for their Director and Register,  
“ the very person who communicated between them and  
“ the country government, an agent given to them by  
“ Hastings, a name that you will often hear of, a name, at  
“ the sound of which *all India grows pale*, the most wicked,  
“ the most atrocious, the boldest, and most dextrous vil-  
“ lain that ever that country produced.

A man unusual to oratorical flourishes would hardly believe that this same Gunga Govand Sing, has been out of office almost as long as Lord North, enjoying, according to the manners of *his* country, the same *otium cum dignitate*, that his Lordship does here. *He* could not have been *more* abused than Lord North was *while in office*, and *his* enemies have never yet fixed criminality upon him, though he convicted *them* both of forgery and perjury, in the Supreme Court of Judicature.

E

Mr.

lor of the Exchequer is, and who is the  
Treasurer of the Navy, of whom the  
Gentleman

Mr. Burke, 2d year. " For he, (Mr. Hastings) murdered that man [Nundcomar] by the hands of Sir Elijah Impey.

Mr. Grey, 1st year. " This country [Benares] which has  
" been eminent for its riches, revered for its sanctity, and a  
" garden in point of preservation; this favoured spot, to  
" which the merchants resorted for commerce, and the pious  
" for religion; this country—which the Mahomedan  
" conquerors of the East had respected, and left unmolested,  
" which even the more pitiless arm of British violence  
" had happily spared—this happy nation—this terrestrial  
" paradise—this seat of plenty—this land flowing with  
" milk and honey, now become the seat of wretchedness  
" and despair—its temples polluted, and its laws reversed.  
" Licentiousness took place of order—military violence  
" subdued all restraint; the country itself became a desert,  
" and ruin and avarice completed the horrid work of devastation.

~~Mr. Grey~~ " Since the government of Benares has  
" been administered by the English, that holy city has increased  
" one-third in its buildings and reputation."

Mr. Pelham, 1st year. " It will be proved by incontrovertible facts, that he (Mr. Hastings) was not only the  
" greatest oppressor, that he was not only the *greatest tyrant*  
" that ever appeared on the Indian coast, but also the *greatest*  
" *peculator*; that he was the *most corrupt*, that he was the  
" *most cruel*, that he never stirred from Calcutta, never undertook  
" any great political plan, but with a view of increasing his own iniquities,  
" by filling the treasures of the Company, or with a view of filling his own pockets."

A passage



Gentleman speaks so freely? The first is the Right Hon. Gentleman (Mr. Pitt) below me on the floor; the second is a Right Hon. Gentleman (Mr. Dundas) not now in his place, who is often denominated the Minister of India in this House. Yet those are the terms he applies to two Gentlemen, acting under the authority, and with the approbation of Parliament.

This Gentleman then proceeds to argue, with the utmost freedom, that an arrangement formed by the Right Honourable Gentleman below me, (Mr. Pitt) under the sanction of Parliament, was a corrupt and scandalous bargain, in order to repay certain persons the expences they in-

A passage in Mr. Sheridan's speech in the first year, is almost a transcript of what Major Scott read in the House, as applied to Mr. Pitt and Mr. Dundas, by Mr. Burke—Mr. Sheridan's speech is very happily and literally verified by Simkin.

“ Not all the tyrannical acts of past ages—

“ Not Tacitus: No! not the luminous pages

“ Of Gibbon *himself*, can an instance produce,

“ Of authority turn'd to so wicked a use;

“ No such cruelty ever was exercis'd in

“ This world, since the days of *Original Sin*.

[Mr. Gibbon was at the elbow of Mr. Sheridan, when this elegant compliment was paid him.]

curred, by bringing Members into this House at the last election; and will this Gentleman vote against me, for my moderate discussion of a newspaper speech? Will this Gentleman pass a vote of censure upon me for giving my reasons in support of an opinion that I can never give up, namely, that it was his intention not to close the prosecution of Mr. Hastings before the dissolution? He, who after stating an Act to be flagrantly corrupt which was done under the sanction of the House, and the three branches of the legislature—He, who has assigned reasons for that act which never entered into the head of any human being but himself?

The next respectable authority that I shall quote, is from a pamphlet written by Richard Brinsley Sheridan, Esq; A “Comparative View of the India Bills of Mr. Fox and Mr. Pitt, addressed to J. M. Esq; with eight stars, in Staffordshire.” In this the Acts of the House, and of the Legislature, are treated with the utmost freedom. I shall only select the following passages, because they will not tire the House:

As



1. “ As to the Declaratory Law itself,  
 “ and the plea which was made for it, we  
 “ seem to be perfectly agreed upon that  
 “ subject. The papers laid before the House  
 “ of Commons, certainly contain, as you  
 “ observe, a complete refutation of all the  
 “ pretences upon which the sending out the  
 “ four regiments to India was defended as  
 “ a measure of necessity. And still more  
 “ strongly do I agree with you in your re-  
 “ marks upon Declaratory Acts in general,  
 “ and upon the nature of this Declaratory  
 “ Act in particular. It is indeed an alarm-  
 “ ing and an unfortunate event in the His-  
 “ tory of Parliament—for it is one that  
 “ shakes the foundation of that security  
 “ which all men hope from law, and of  
 “ that respect which all men owe to it—  
 “ to see the Representatives of the people  
 “ persuaded to intercept the ordinary course  
 “ of justice, to assume themselves a judicial  
 “ character, and, upon the suggestion of  
 “ the King’s Ministers, to determine a  
 “ question of property, in favour of the  
 “ servants of the Crown, against the claims  
 “ of the subject!

“ Nor

“ Nor can our apprehensions of the  
 “ consequences of this precedent be dimi-  
 “ nished, by reflecting upon the manner in  
 “ which the measure was carried through  
 “ the House of Lords; by reflecting, that  
 “ the supreme Court of Judicature in this  
 “ country, should have been induced by  
 “ any influence, or by any eloquence, or  
 “ upon any plea of necessity, pretended or  
 “ real, to decide — with unparalleled pre-  
 “ cipitation -- upon a construction of law--  
 “ in the absence of the Judges of the land,  
 “ and without granting a hearing to the  
 “ parties interested in their decision.”

2. “ If it were worth reasoning or ar-  
 “ guing upon, it would be no difficult mat-  
 “ ter to prove that this crooked system of  
 “ involved mystery and contradictory duties,  
 “ could never have been meant for any  
 “ fair purpose of good government.”

3. “ Whether under this loose and arro-  
 “ gant mandate, so unlike the temperate  
 “ precision of a British law upon such a  
 “ subject, there is any one right, power,  
 “ or



“ or property of any sort, left to the Company, may reasonably be doubted.”

Here, Sir, Acts of Parliament are most freely spoken of. I do not say improperly, because I approve of a fair and liberal discussion of political subjects; but how the Honourable Gentleman who wrote that pamphlet, can vote against me, I cannot conceive. I trust I may address Mr. Woodfall upon a public subject with as much security as the Hon. Gentleman may write to a country Gentleman in the county of Stafford, whose name he does not give us, and for whose place of residence he substitutes eight stars. The last authority that I shall quote, is that of the Honourable General himself, who is also an author, and not a despicable one. When he was on bad terms with some of the Gentlemen who sit near him, he wrote the following passage in an address to his constituents at Preston :

“ During the last session of Parliament  
 “ an enquiry was instituted. The detail of  
 “ the attempts made by Ministry to defeat  
 “ it, is too notorious to be necessary upon  
 “ this occasion. They at last contrived that  
 “ it

“ it should be left imperfect.” Is this no  
 “ reflection upon the House? In another  
 place the Honourable General says: “ If  
 “ the state of the nation in its wars; in its  
 “ negociations; in its concerns with its re-  
 “ maining colonies; or in the internal poli-  
 “ cy and government of these kingdoms,  
 “ can afford the smallest countenance to an  
 “ opinion of integrity, and capacity in Ad-  
 “ ministration, I am ready to abide every  
 “ censure, for being, what I am, a deter-  
 “ mined enemy to it; I have been in a situ-  
 “ ation to see that in a complicated and  
 “ alarming war, when unsupported by any  
 “ alliances, the kingdom was left solely to  
 “ its own native military force, that sole  
 “ reliance was discouraged and depreciated.  
 “ I saw a systematical design of villifying  
 “ and disgracing every officer whom those  
 “ Ministers had ever employed by sea or  
 “ land; and those most, who stood highest  
 “ in their several professions. The ruin of  
 “ officers forms almost the whole of their  
 “ military system; and if I have experienced  
 “ my full measure of their hostility, it only  
 “ shews the extent of their plan; having  
 “ furnished



“ furnished little else than my zeal and  
 “ industry, as a title to their malevolence.  
 “ As to their political plan, its object is to  
 “ impose upon the nation from session to  
 “ session. Far from profiting themselves,  
 “ or suffering others to profit by bitter  
 “ experience, they exist by bringing forth  
 “ a succession of deceits. I cannot shut my  
 “ eyes against my own certain knowledge  
 “ of some of the most fatal of these deceits  
 “ respecting America; nor restrain my just  
 “ and natural indignation at their efforts,  
 “ without forfeiting every feeling for my  
 “ country.”

Let not Gentlemen suppose, because I  
 stop here, that the subject is exhausted.  
 I hold in my hands twelve speeches and  
 pamphlets,† written by the Right Honour-  
 able Gentleman (Mr. Burke) and I will  
 engage, that from each I extract expres-  
 sions infinitely stronger than any which I  
 have used, upon any proceedings of the  
 House of Commons. I deny that I have  
 ever said or written a word disrespectful to  
 this House. The House has been de-

† All printed by Doddsley.

ceived and misled ; that I have said, I say it again, and I will prove it if the House pleases, by an appeal to your Journals. The House confided in their Committee to draw up Articles of Impeachment—The Committee therefore has involved the House in contradictions, in so far as the articles condemn systems which Parliament has approved. I am much obliged to the House for their attention, and will only detain them a moment longer. It will be no justification to me if I have done wrong to prove to the satisfaction of those who are to decide, that my accusers are fifty times more guilty than I am. Yet, Sir, when I consider that the Charges originally presented by a Right Honourable Gentleman (Mr. Burke) and the Articles were printed and publickly sold all over the kingdom, and that every circumstance attending the trial of Mr. Hastings has received a full discussion out of doors, I cannot but admire that I should be attacked by those who have made the present complaint to you. In one of the General's  
Motions,



Motions, he calls me *now, or late*, an agent of Mr. Hastings. I was in that character when he was abroad ; I am not so now, unless he means as his warm and steady friend, who am ready to devote every faculty that I have to his service. So far as that I avow myself, but I deny that I wrote the letter complained of in concert with Mr. Hastings, or any other person. We reside in different counties, very distant from each other, and the letter I wrote on Sunday last, at my House in the country, from whence it was dated, nor was it seen by a human being till I delivered it myself into the Printer's hands on Monday, unless the first sheet, which I believe was lying on the Table when one of my daughters came into the room. I am thus particular, Sir, because the Honourable General insinuated that every thing was done in concert, and as part of a settled system. So in the case of Captain Williams ; I solemnly declare that Mr. Hastings knew nothing about that matter. The moment I saw the attack upon him I did what I am sure he would have done

done by me; I sent him the paper, and answered in the mean time as far as came within my own knowledge. As to the poetry to which the Honourable General alludes (the letters of Simkin) it is so excellent, that I fancy the Honourable General reads it with pleasure; but I do assure him that the author of those verses is too independent both in mind and fortune to act under the direction of any person, or from any other motive than his own conviction; and here, Sir, I trust my cause, having the fullest reliance upon the justice and candour of the House.

P O S T.



## P O S T S C R I P T.

THERE are three points in Major Scott's Letter which he omitted to notice. The first, that the malicious story of Deby Sing had been fully refuted. The decision of the Lords has made it clear, that what Major Scott had formerly stated upon this subject was *true, that there is no part of the articles to which that story could apply*; and, as Mr. Burke has never thought proper to bring it before the House in the form of a *specific charge*, which it was at all times in his power to do, had there been grounds for it, the publick will judge how far Major Scott was founded in all he has written upon that subject, as well as in the epithet he has applied to ..

The next is relative to the opinion of all India of the impeachment, and the testimonials transmitted from the natives in favour of Mr. Hastings. The first assertion is capable of the fullest proof, but it has not occurred to the Managers, to call either Mr. Shore or any of the gentlemen

returned either in this year or the last from India; and the British nation thinks too highly of Lord Cornwallis, to believe him capable of a participation in so detestable an imposition upon the people of England, as he must have been a party to, if those testimonials had been procured by improper influence, or if they did not *bona fide* contain the sentiments of the people.

The last is, “ that the state of the Revenues and resources of Bengal, overturns all the arguments used by Mr. Fox in support of his Bill.” Most undoubtedly it does; for it is evident from the present state of Bengal, that it must have been in a progressive state of improvement from the day Mr. Hastings succeeded to the government in 1772, when, for the *first time*, the English took the government into their own hands; whereas the jett of Mr. Fox’s argument was, that the country had materially suffered under a British administration, and would be ruined if *instant* measures were not taken to prevent it. Indeed the preamble to his Bill declares as much.

THE END.





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